

1894-033 Chancery Causes: Sanford Chamberlain + Albers] vs. William C. Herndon & Co.  
Lee Co.

Sanford, Chamberlain, Albers, Parsons, Woodward, Stapleton, Pennington

CA-Debt  
T-Property

-Deeds



No. 1. Hon. H. S. K. Merriam, Judge of the circuit  
Court for Lee County:

Humbly complaining your orator E. J. Sum-  
ford, W. F. Chamberlain, and A. J. Albers, factors in  
trade under the style & firm of Sumford, Chamberlain and  
Albers respectfully represent unto your Honor,  
that at the special instance and request of  
W. C. Shindler on the 30th day of Oct, 1893 they  
sold and delivered to the said W. C. Shindler in  
the city of Knoxville, a certain & large quantity  
of goods amounting to \$77.08 with interest  
from the 1st day of March, 1893, at which time  
the said account will become due & payable, and  
at his direction all of said goods were shipped  
to said Shindler at Dumington Geo. Va; that at  
the time said orators sold said Shindler said  
goods, the records of the county court of Lee  
County showed him. He represented him-  
self to be the owner of a large quantity of un-  
incumbered land lying & being in Lee County,  
in the Facket & Croshawards country, - land  
conveyed to him by the heirs of Charles  
Dumington Sr's, Larkin Shindler & John  
B. Dumington, Abner Hughes & wife and  
John C. St. John & wife and all of which  
he was then in the possession of, &  
using as his own copy of the deed to the  
land he offered to own are here filed as  
part of this bill & marked

Your orator will further show  
unto your Honor, that a portion of  
said goods sold said Shindler, if



not all, together with about 40 head of  
cattle, the goods in his store house at the  
time, and also other goods bought  
about the same time from other whole-  
sale merchants, were on or about the  
10th day of Nov. 1893 turned over to his  
father Darius Stinson, & his brother  
John P. Stinson who are now in the  
possession of the same selling and  
disposing of them. That said goods & cattle  
were turned over to the said Darius & John  
P. Stinson without a valuable consideration  
or at best a consideration something like  
the value thereof.

Your writer will further shew unto your  
honor that said sum of money will become  
payable on the 1st day of March, 1894; that in  
a few days after said W.C. Stinson transferred  
said goods and cattle as aforesaid. He abandoned  
his stake and is now a non resident  
thereof. That to your writer's great surprise on  
Nov. 10, 1893, one David Parrish lodged  
with the clerk thereof and had recorded  
in the County Court Clerk's office of this  
County a deed signed by said W.C. Stinson  
wife, dated and acknowledged March 14,  
1893, whereby said Stinson wife conveyed  
to said Parrish all his land in con-  
sideration of \$5000.00 "in hand paid" to  
said Stinson except the said Stapleton  
tract, and that part thereof included  
in the conveyance from John Brumley



1

89

Clarkin Henderson noted July 30<sup>th</sup> 1893  
that at the time said Henderson paid goods or at  
anytime afterward until it was re-  
corded did they have any notice what-  
ever of the existence thereof; that a convey-  
ance said deed was made without any  
consideration being paid & was  
made for the purpose of inducing  
delaying & defrauding ~~the~~ creditors of  
said Henderson in the collection of their  
debts and especially that of your estate.

Your estate will further show  
unto your honor that on Nov. 10, 1893  
said W.C. Henderson, <sup>made &</sup> acknowledged  
another paper giving to one William  
Woodward a sum of all his land  
except the portion before conveyed to  
said Parsons & the Stoughton tract  
to secure the sum of \$675.00. Your estate  
over that this pretended sum is said  
to have been voluntary & was made for  
no other purpose than to defraud said  
Henderson's creditors. A copy of the  
same is here filed; marked "Lien"  
& prayed to be considered part of this  
bill.

The Prudential therefore considered  
your estate are advised that they  
have rights in <sup>a court of</sup> equity; that said  
that said John D. Clarkin Henderson will  
be compelled to account for all of said



W.C. Sherwood's effects that went into their hands, that said deed of said Sherwood wife to said Garrison and said line in favor of said Woodward will be declared null & void as to said Sherwood's creditors not having notice thereof at the time they made their debts with said Sherwood, and especially will it be null & void as to your estate.

The Prayer therefore of your estate is that W.C. Sherwood, William Woodward, Larkin Sherwood, John T. Sherwood, David F. Garrison & John C. Stoppleton be made parties defendant to this bill of complaint; that each be required to answer its several allegations on oath; that by virtue of the affidavit now with filed marked "Affidavit" made pursuant to sections 2 & 64 of the Code of 1887, an attachment issue herein and be levied upon said Sherwood's effects & the same held until a future order of the court; that said John T. & Larkin Sherwood, for whom if anything the said W.C. Sherwood owed them, when, where & from whom they got the money or other thing which they lent the said Sherwood house whereby he became indebted to them, the date of each item of indebtedness, the number, kind & value of said notes, or itemized statement or an invoice



of all the goods & cattle of any kind & the price  
they gave therefor which was turned  
over to them as either of them by said  
W.C. Herndon; that David P. Parson  
specially answers the true amount he  
has paid, if anything, which he paid  
on the land mentioned in deed of  
March, 14, 1893; where & from  
whence he obtained the money or other  
thing whereby he paid said Herndon  
on said land, how much if  
anything he still owes on said  
land; that said William Woodward will  
specially answer on oath where & for  
what said W.C. Herndon became indebted  
to him, the true amount thereof & where  
it became or will become due, where  
where & from whence he obtained the  
money or other thing whereby said  
Herndon became indebted to him;  
that on a final hearing of their  
cause your order ~~to~~ a judge-  
ment be given there for the said  
sum of money, that said said sum  
& transfer of goods & cattle be annulled  
and set aside, and that enough  
be sold to satisfy your order claim  
and the costs of this suit; that an  
order of Publication be made for  
W.C. Herndon as the law requires  
in such case, & that all other  
further & general relief be granted



your order as the notice of his ~~order~~  
may require. Your order forgot  
to state that the line remained on the Stoph-  
ton track for the purchase money  
has long since been paid, & that  
there are no other lines on the said  
real estate of W.C. Sheridan, & that  
the rent & profits of said land will  
not pay in five years the claim & the  
costs of this suit. May process  
issue & your order will ever  
pay &c.

Pennington Bros  
J. G.



1st Jan'y 1894

Samuel Chamberlain vs. Arthur

v.s. Bill in Chancery.

W. Chamberlain ex. st. Defts

1894 1st Jan'y Rules Bill filed & paid  
on home Defts Ord Pub for nonresidents  
and D. N. vs Home Defts  
2nd Jan'y R. D. N. for home Deft Conf'd  
1st Feby Rules Could for Ord Pub  
2nd " " Ord Pub Completed & set for  
hearing by Defts  
" June Term Deeds & counts

C 894  
S 250  
MMP 250  
Co C 575-  
Printer 500  
atty & 500  
29.69

Defts Costs  
\$160

Penney Bros p. 91



E. J. SANFORD.  
W. P. CHAMBERLAIN.  
A. J. ALBERS.

MONTHLY STATEMENT.

Knoxville, Tenn., 11/24 1893.

M. W. C. Hudson,

Cynthia, Va.

IN ACCOUNT WITH

SANFORD, CHAMBERLAIN & ALBERS,  
WHOLESALE DRUGGISTS.

INTEREST CHARGED AFTER MATURITY.

PREPAY REMITTANCES BY EXPRESS.

1893.

To Balance Rendered,

Oct. 30

To Mdse.

Notary fee

\$77.08

50

\$77.58

Sanford Chamberlain & Albers

State of Tennessee:

: to wit;

Knox County

:

I, E. H. Kurtz, a Notary Public in and for  
said County and State, do certify that W. P. Chamberlain, this day  
made oath before me, that the foregoing account, amounting to \$77.58  
is to the best of his knowledge and belief, justly due, and that he  
claims interest on the same from the 1<sup>st</sup> day of March 1894.

Given under my hand this 24<sup>th</sup> day of November 1893.

E. H. Kurtz

Notary Public.



# Wm. Chamberlain & Albers,

IMPORTERS, MANUFACTURERS &amp; WHOLESALE DEALERS IN

Fam. Medicines.

## Drugs, Chemicals, Paints, Oils, Patent Medicines

Window Glass, Fancy Goods &amp; Perfumeries.

Book 352,

Folio 78,

Salesman

Kale,

E.J. SANFORD.  
W.P. CHAMBERLAIN.  
A.J. ALBERS.

Knoxville, Tenn. 10/30/1892.

Sold to Mr. W. C. Herndon,

Cynthia,

7a

TERMS: via Penn. Exp. Co.

Interest will be charged on all bills not paid at maturity, All Claims for deduction must be made in 10 days After receipt of Goods.

|          |                         |        |
|----------|-------------------------|--------|
| 1 ~      | Left. G. I. R. F. Case, | 10. 50 |
| 1 doz.   | Godfrey's Cord.         | 50     |
| 1 "      | Batemans' Drops,        | 50     |
| 1/2 gro. | Ess. Cinnamon 3.50      | 175    |
| 1/2 "    | " Peppermint,           | 175    |
| 1 doz.   | Pangon's,               | 40     |
| 1 "      | Laudanum,               | 60     |
| 1 "      | Sweet oil               | 60     |
| 1 "      | oil Cinnamon,           | 60     |
| 2 gall.  | Jurpentine, can 50 50   | 150    |
| 1 doz.   | W. Iron,                | 60     |
| 1 "      | " Iodine                | 60     |
| 1 gall.  | Castor oil, can 35 150  | 185    |
| 1/2 gro. | Black Ginger, 12.00     | 600    |
| 1 doz.   | Hot Drops,              | 75     |
| 1 "      | white oil,              | 200    |
| 1 "      | N. & R. Lin.            | 150    |
| 1 "      | H. & C. Powd.           | 150    |
| 1 "      | Futts Pills,            | 150    |
| 1 ~      | Note Book               | 00     |
| 1 ~      | Bill "                  | 00     |
| 1 doz.   | 69 Mem. Books,          | 75     |
| 1 "      | Lumber Pencils,         | 60     |
| 1 "      | Hair Pins, acid,        | 75     |
| 1 "      | 6 in. R. H. D. Combs,   | 60     |
| 1 "      | 900 Beads,              | 40     |
| 1/2 "    | W. Hair Brushes, 2.50   | 125    |
| 3 "      | Eyes 75                 | 225    |
| 16 #     | Nat. Leaf Tobacco, 44   | 704    |
| 30 "     | Mix. Candy, 4.20 9      | 295    |
| 48 "     | Mst. Fum. Tobacco, 32   | 1536   |
| 2 bx.    | Raisins, 2.50           | 450    |
| 1 case,  | Soda                    | 335    |
| 28 #     | x x x Crackers 6        | 168    |
|          | C. & C.                 | 60     |

Duplicate

708



Laurel & Chamberlain & Allen

12.

W.C. Harrison

74.2-8



To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate answer and demurrer of John P. Herndon to a bill in ~~chancery~~ chancery exhibited against him and others in this honorable court by E. J. Sandford, W.P. Chamberlain and A.J. Albers, partners trading under the firm name of Sandford Chamberlain & Albers.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him answering he says:

That he has filed his answer to a bill in chancery exhibited ~~against~~ against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to a bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill filed by complainants, all <sup>contains</sup> ~~have~~ almost identically the same allegations except as to the amount claimed, and all are against identically the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

*Wm. H. Lyatt p.d.*

*Sworn to before me this the 5th day of March 1894*

*by John P. Herndon*

*W. B. Munsey Clerk*



Ch  
W.C. Herndon et als.

Ads. { Separate Demurrer and  
{ Answer of John P. Herndon  
{ don one of the defend-  
{ ants.

Sandford Chamberlain & Albers-

Duncan & Hvatt, p.d.

*Filed in open court March*  
*the 9<sup>th</sup> 1894*

*A.B. Munsey clk*



To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate answer and demurrer of Larkin Herndon to a bill in chancery exhibited against him and others in this honorable court by E. J. Sandford, W.P. Chamberlain and A.J. Albers, merchants and partners trading under the firm name of Sandford, Chamberlain & Albers.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relvins and insisting thereon, should other and further answer be required of him, answering, he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers, Little & Co., he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill filed by complainants, all <sup>contain</sup> ~~have~~ almost identically the same allegations except as to the amount claimed, and all are against the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case, and prays that they may be regarded as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

*Duncan Hyatt p.d*

*Sworn to before me this the 5th day of March 1894  
by Larkin Herndon*

*A.B. Munsey Clerk*



Ab.

W.C. Herndon et als.

Ads. { Separate Demurrer and  
{ Answer of Larkin Herndon,  
{ one of the defendants.

Sandford, Chamberlain & Albers.

Duncan & Hvatt, p.d.

*Filed in open court March  
9th 1894 A.B. Munsey Clerk*



SANFORD, CHAMBERLAIN & ALBERS

vs,

In Chancery.

W. C. Herndon et al.

The depositions of *Wm. P. Chamberlain*

taken before me, C. E. Tompkins,

a notary public in and for the county of Knox, and State of Tennessee, pursuant to notice hereto annexed at the office of Henry. Fenton, ~~254~~ Gay street, in the city of Knoxville, in the said county and state on the *2<sup>nd</sup>* day of February, 1894, between the hours of 7 A. M. and 8 P. M. of that day, to be read as evidence in behalf of the SANFORD, CHAMBERLAIN & ALBERS in a certain suit in equity depending in the Circuit Court of Lee county, Virginia, wherein Wm. C. Herndon, John. P. Herndon, Larken Herndon, Wm. Woodward and David. P. Parsons are defendants, and said SANFORD, CHAMBERLAIN & ALBERS is plaintiff.

Present

for defts'

for plaintiff

*The witness W. P. Chamberlain a witness of lawful age after being duly sworn deposes as follows, to-wit:*  
Ques. 1<sup>st</sup> Please give your name age, residence and occupation

Ans. *Wm. P. Chamberlain, age 53. Residence Knoxville Tennessee, occupation Wholesale Druggist,*

2. 2 What is your connection with the Plaintiffs in this suit?

Answer. *I am a partner in the firm of Sanford Chamberlain & Albers, and look after the extension of credits to customers,*



Quest 3

State whether the said W C Herndon is indebted to said Plaintiffs in any sum or sums of money, if so what amount and when due?

Answer

The said W. C. Herndon is indebted to the firm of Sanford Chamberlain & others to the amount of (\$77.<sup>08</sup>) Seventy seven and <sup>08</sup>/<sub>100</sub> dollars for the articles set forth in duplicate invoice attached to this deposition, and marked Exhibit A. The goods were sold on the usual 4 months terms.

Quest 4

When said Sales were made to said Herndon did he or did he not make any representations as to his financial condition, if so what were they?

Answer

He made no representation as to his financial standing, except to refer us to Crown & Clegg Co. for information on ~~the~~ <sup>the</sup> point of his financial standing. We were told on inquiry of Crown & Clegg & Co. that they had reliable information that the said Herndon was possessed of considerable real estate worth from ten to fifteen thousand dollars.

Quest 5

State whether or not you or the plaintiffs



in this suit had any knowledge of the  
existence of the deed dated March 14<sup>th</sup>  
1893 & mentioned in Plaintiffs Bill,  
at the time or any time prior thereto  
that said Herndon made said  
purchase.?

Answer,

I did not know of any such sale of  
real estate, & would not have extended  
credit had I known that he had  
been disposing of property on which  
credit was based or asked for.

And further this defendant with  
not

W. P. Huntington



Sanford Chamberlain & others

VS } Depositions

W. L. Henderson et al

Received by mail in good  
condition Feb by the 4th 1894 and  
filed Feb by the 5th 1894

A. B. Muncey Clerk



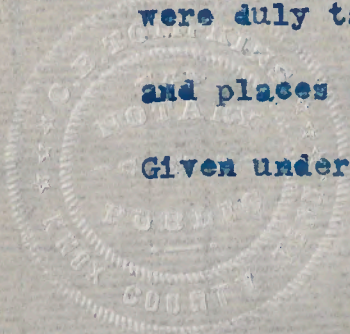
Tennessee.

County of Knox.      to wit

I C. B. Tompkins a notary public for the county of  
Knox in the said state do hereby certify that the fore-going  
depositions of *Wm J. Chamberlain*

were duly taken, sworn to, and subscribed before me at the time  
and places and for the purpose therein mentioned.

Given under my hand and seal this *2<sup>nd</sup>* day of February 1894



*C. B. Tompkins*  
Notary Public





# Sanford, Chamberlain & Albers,

IMPORTERS MANUFACTURERS & WHOLESALE DEALERS IN

**Drugs, Chemicals, Paints, Oils, Patent Medicines**

Dr. Harts Family Medicines.

Window Glass, Fancy Goods & Perfumeries.

Book 357.

Folio 78.

E. J. SANFORD.  
W. P. CHAMBERLAIN.  
A. J. ALBERS.

Salesman Hale,

Knoxville, Tenn. 10/30/1893

Sold to Mr. W. C. Herndon,

Cynthiana, Ky.

TERMS: via: Rem. 90%.

Interest will be charged on all bills not paid at maturity. All claims for deduction must be made in 10 days after receipt of Goods.

Exhibit A

Exhibit B

|     |       |                            |    |      |
|-----|-------|----------------------------|----|------|
| 1   | doz.  | Capt. G. L. R. F. Case     | 10 | 50   |
| 1   | "     | Godfrey                    |    | 50   |
| 1   | "     | Batemans                   |    | 50   |
| 1/2 | gro.  | Ess. Cinnamon.             | 3  | 50   |
| 1/2 | "     | " Peppr.                   | "  | 75   |
| 1   | doz.  | Pargone                    |    | 40   |
| 1   | "     | Laudanum                   |    | 60   |
| 1   | "     | Sweet oil                  |    | 60   |
| 1   | "     | Oil Cinnamon               |    | 60   |
| 2   | gall. | Turpentine c <sup>50</sup> | 50 | 1 50 |
| 1   | doz.  | Tr. Iron                   |    | 60   |
| 1   | "     | " Iodine                   |    | 60   |
| 1   | gall. | Cast. oil c <sup>35</sup>  | 1  | 50   |
| 1/2 | gro.  | Black Ginger.              | 12 | 00   |
| 1   | doz.  | Hot Drops                  |    | 75   |
| 1   | "     | White oil                  |    | 200  |
| 1   | "     | H. & C. Powd.              |    | 1 50 |
| 1   | "     | N. & B. Lin.               |    | 1 50 |
| 1   | "     | Zutti's Pills              |    | 1 50 |
| 1   | "     | Note Books                 |    | 00   |
| 1   | "     | Biel "                     |    | 00   |
| 1   | doz.  | Wg Mem. Books              |    | 75   |
| 1   | "     | Lumber Penc.               |    | 60   |
| 1   | "     | Hair Pins, acid.           |    | 75   |
| 1   | "     | 6" R.H.D. Combs            |    | 60   |
| 1   | "     | 400 Beads                  |    | 40   |
| 1/2 | "     | W. Hair Brushes            | 2  | 50   |
| 3   | "     | Dyes                       | 7  | 5    |
| 16  | #     | Nat. Leaf Tab.             | 4  | 4    |
| 30  | "     | Mix. Candy b <sup>25</sup> | 9  |      |
| 48  | "     | W. Fern. Tab.              | 3  | 2    |
| 2   | box.  | Raisins                    | 2  | 50   |
| 1   | case  | Loda                       |    | 335  |
| 28  | #     | Crackers XXX               | 6  |      |
|     |       | C & C                      |    |      |

66 1/2 1/4 08



Sanford, Chamberlain & Albans

AGAINST

W. C. Herndon et al.

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2<sup>nd</sup> day

of

February 1894

at the office of

Henry Fruton, - 253

Country, State of

Tennessee

I will proceed to take the deposition of

to be read as evidence on behalf of

Sanford, Chamberlain and Albans  
and A. J. Albans partners in business under the  
style name of Sanford Chamberlain & Albans

in a certain suit in Equity now pending in the Circuit Court of Lee

County, State of Virginia wherein said Sanford, Chamberlain & Albans  
Plaintiff and you and each of you are Defendant. And if from any

cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be  
continued from day to day or from time to time and if desired from place to place, until the same are complete. You  
may attend and cross-examine if you wish.

1894

Very Respectfully,

Sanford, Chamberlain & Albans  
per Charles



Sanford Chamberlain  
+ Albus  
vs } Notice to Take  
Depositions

Wm C. Henderson et al

Executed on Jan. 12<sup>th</sup> 1894  
by delivering a copy  
of the within notice to  
each of the following nam-  
ed persons, to wit: John  
P. Henderson, Barker Hen-  
derson, Wm. Woodward, David  
P. Parsons & John C. Ca-  
plon.

W. M. Pennington

Virginia, Lee County, to wit:

The foregoing papers  
signed by Wm. M. Pen-  
nington were this day  
sworn to by him before  
me in my capacity as a  
foresaid Justice under  
my hand this Jan 15<sup>th</sup> 1894

W. M. Pennington  
Notary Public



Sanford Chamberlain & Albers

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsors and John C. Stapleton

Take notice that on the 2<sup>nd</sup> day

of February 1894 at the office of Henry Freestone in

253 May Street in the City of Knoxville Tenn

County, State of Tennessee, I will proceed to take the deposition of

W. C. Chamberlain and others

to be read as evidence on behalf of W. C. Sanford, H. P. Chamberlain and

A. J. Albers partners in trade under style name of

Sanford Chamberlain & Albers

in a certain suit in Equity now pending in the Circuit Court of Lee

County, State of Virginia wherein said Sanford Chamberlain & Albers

Plaintiff and you and each of you are Defendants And if from any

cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be

continued from day to day or from time to time and if desired from place to place, until the same are complete. You

may attend and cross-examine if you wish.

Jan. 4<sup>th</sup> 1894

Very Respectfully,

Sanford Chamberlain & Albers

per Cunningham Bros  
Counsel



40  
Mrs. Hindan



Virginia Lin County, to wit:-

This day E.W. Pennington agent for E.J. Sanford & H.P. Chamberlain & J. Albert & J. Albert in trade under the style & firm of Sanford Chamberlain & Albert ~~personally appeared~~ plaintiffs in a certain cause in Chancery now pending in the Circuit Court for Lin County against W.C. Herndon et al to recover a certain debt from said Herndon, personally appeared before me A. G. Hyatt a notary public in and for said County of Lin & State of Va and in my County aforesaid & made oath that 1<sup>st</sup> he verily believes the said plaintiffs claim is just, & 2<sup>nd</sup> that he believes the said plaintiff is entitled and ought to recover at least in the said suit against said Herndon a debt for the sum of \$4,758 with interest from ~~Oct 1<sup>st</sup> day of March~~ <sup>which were due for duty on that day</sup> 1894. & 3<sup>rd</sup> that to the best of the officer's belief the said W.C. Herndon is not a resident of the State of Va but has effects in Lin Co. 4<sup>th</sup> that the said Herndon has converted, is converting or is about to convert his property or some material part thereof in to money securities and evidences of debt with the intent to hinder, defraud, & delay his creditors. 5<sup>th</sup> that said Herndon has assigned this part of or is about to assign & dispose of his estate or some part thereof with the intent to hinder, defraud & delay his creditors. & especially. Sanford Chamberlain & Albert & J. Albert under my hand this Dec 7<sup>th</sup> 1894.

A. G. Hyatt  
Notary Public



Sayard & Chouard & Allen  
vs. } Affidavit

H.C. Shudon  
Filed Decr the 7th 1894  
A.B. Munsey Clerk



This deed made the 14th day of March 1893 between William C. Herndon and Cynthia E. Herndon of the first part and David P. Parsons<sup>s</sup> of the second part of the county and state aforesaid Witness that in consideration of the sum of five thousand dollars in hand paid the receipt whereof is hereby acknowledged W.C. Herndon and Cynthia Herndon his wife do grant bargain sell and convey unto David P. Parsons party of the second part a certain tract or parcel of land lying in the Craborchard on Reeds and Jones creek waters of the North Fork of Powells River No of acres unknown supposed to be six hundred more or less and bounded as follows to wit: Beginning at a stake on the north bank of the North Fork at the mouth of Reeds Creek thence with the meanders to the Mc Gradle line and with said line N 33 W \_\_\_\_ to a gum a chestnut and spanish oak corner to A. P. Balley's land and with lines of same N 64 W 25 poles to a white oak and a chestnut thence N 30 W 42 poles to 3 white oaks thence S 1/2 W with parker's line to Jones Creek and with said creek to Joseph Marcums corner thence southwardly with said Marcums line to A. K. Debusks corner thence with his several lines and corners to a corner to Alfred Johnston's land formerly Samuel Parsons land thence with lines and corners of said Samuel Parsons tract to James Quinn land thence with lines and corners to Mathew Zion land and with said Zions lines and corners to Lawsons land and with his lines and corners to the beginning the foregoing described boundary of land embraces the land purchased by W.C. Herndon from Tobias Hughes and wife Charles Pennington heirs Larkin Herndon and John R. Pennington and the said David P. Parsons is to have and with all the appurtenances thereunto *and forever have* and the said William C. Herndon and the said William C. Herndon and Cynthia Herndon parties of the first part do warrant gener-



ally the land hereby conveyed. Witness the following signature and seals the year and day first written.

William C. Herndon (seal)

Cynthia E. Herndon (seal)

State of Virginia, County of Lee, to wit:

I, F.M. Parsons a justice of the peace in and for the county and state aforesaid do certify that William C. Herndon and Cynthia E. Herndon his wife whose names are signed to the foregoing deed bearing date on the 14th day of March 1893 acknowledged the same before me in my county and state ~~aforesaid~~ ~~and~~ given under my hand and seal this the 14th day of March 1893.

F.M. Parsons J.P.

Virginia Lee County to wit: - In the clerk's office of of / the said county, the 10th day of Nov ~~X/M/X~~ 1893 this deed was presented and together with the certificate thereto annexed was admitted to record.

Test: S.V.F. Richmond, Clerk.

Virginia Lee County

*Copy sent to S. V. F. Richmond*  
*clerk*

This day H.L. Ennington personally appeared before me in my county and state aforesaid, and made oath that he had copied the foregoing deed from the records of the county court of the said county, and that the same is a true transcript from the said record. This Feb. \_\_\_\_\_ 1894.

N.P.



Deed Book no 29, page 436.

This deed made the 10th day of Nove 1893 by and  
between W.C.Herndon of the first part and and Wil-  
liam Woodward of the second part <sup>both</sup> of the county of  
Lee and State of Virginia The party of the first

part doth doth grant unto the party of the second part a tract or  
parcel of land ~~XXXX~~ bounded as follows, Beginning at a stake  
at the mouth of Reeds creek running with Lawsons line to the top  
of Stone Mountain thence with the meanderings thereof to the Mc  
Cradie line and with same to the ~~XXXX~~ North fork of Powells river  
and with meanderings of said waters to the beginning. This Deed of  
trust is to secure and whold good to the party of the ~~first~~ <sup>second</sup> part  
for the sum of six hundred and seventh five dollars which the party  
of the second part wholds against the party of the first part the  
contract shall stand and whold good to the party of the second  
part untill the Notes is Satisfied in full. Witness the following  
signature and seal

W.C.Herndon (seal)

Virginia Lee County, to/ wit:-

I, J.F.Burgin a justice of said county in the state afoe  
said do certify that W.C.Herndon whose name is signed to the fore-  
going deed bearing date on the 10th day of NOV 1893 this day per-  
sonally appeared before me in my county aforesaid and acknowledged  
the same to be his act and deed. Given under my hand and seal  
this the 10th day of Nov 1893

J.F.Burgin J.P.

Virginia Lee county to wit: *A copy - Teste J. V. T. Nicholson clerk*  
This day H.I.Pennington personally appeared before me, H.W.Pennin-  
gton, anotary public in and for the county and state aforesaid  
and made / oath that he had copied the foregoing deed from the  
records of the county court of Lee county, on file in the clerk's  
office of the said county court and that the same is a true tran-  
script therefrom. This FEB \_\_\_\_\_ 1894.

Virginia Lee County to wit: the 10th day of  
Nov 1893. this deed was presented and to gether with the certificate  
of the clerk of the county court of Lee county, on file in the clerk's  
office of the said county court and that the same is a true tran-  
script therefrom. This FEB \_\_\_\_\_ 1894.



Deed Book NO .25 ,page 163.

This Deed made this the 30th day of July 1869 between John B. Pennington and Larkin Herndon of the <sup>one</sup> ~~first~~ part and and William C. Herndon of the other part . J.B. Pennington now a resident of Hawkins County Tennessee and the other named parties of Lee county Virginia . Witnesseth that in consideration of the sum of \$50 .00 fifty dollars in hand paid the receipt of <sup>whereof</sup> ~~which~~ is hereby acknowledged by said John B. Pennington and L. Herndon do grant bargain and sell unto the said William C. Herndon a certain tract or parcel of land lying and being in the county of Lee and State of Virginia it being a part of a tract of land assigned to John Pennington Sr . by commissioners it being a part of the Mc Cradle survey and bounded as follows to wit: Beginning at the mouth of Jones Creek Crossing the North Fork of Powell's River southwardly up the north side of stone mountain with partition line to the top of said mountain thence eastwardly with top of same with the varying meanders thereof to the original Mc Cradle line and with line thereof northwardly to the north Fork of Powell's River thence westwardly with the varied meanderings thereof to the beginning . And the afore said John B. Pennington and Larkin Herndon do covenant and agree with the said William C. Herndon to warrant generally the land hereby conveyed with all of its appurtenances Witness the following signatures and seals The number of acres not known but by the boundary be the same more or less .

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County to it : I, John A. G. Hyatt clerk of the circuit court for Lee county state aforesaid do hereby



certify that John R. Pennington and Larkin Herndon whose names  
are signed to the foregoing deed bearing date on the 30th July  
1889 each personally appeared before me and made ~~oath~~ ac-  
knowledge the same to be their act and deed for the purpose  
therein stated. Given under my hand 7th of Sept. 1889.

J. A. Hyatt Clerk.

Virginia Lee County do wit:

In the office of the clerk of the said county May the 10th  
1890 this deed was presented with the certificate thereto an-  
nexed admitted to record.

Test John R. Gibson, Clerk.

Virginia Lee County do wit *A Copy Teste: S. V. R. Shumard*  
*Clerk*

This day R. L. Pennington personally appeared before me  
a notary public in and for the county and state aforesaid and  
made oath that he had copied the foregoing deed from the  
records of the county court of Lee County on file in the  
clerk's office of the said court, and that the same is a true  
transcript therefrom.

Given under my hand this the \_\_\_\_ day of Feb. 1894.

\_\_\_\_ N.P.



H. C. Sturges

From 1/2 copy of Dues

John B. Fanning

~~~~~

For copy

\$0.50



This deed made this the 7th day of March 1867 between John C. Stapleton and Almadid Stapleton his wife of the first part and W. Craig Hendon of the second part all of the county of Lee and State of Virginia. Witnesseth that in consideration of the sum of two hundred dollars in hand paid and secured to be paid by the party of the second part the receipt of which is hereby acknowledged, the said party of the first part by these presents give grant sell and convey unto the party of the second part a certain tract or parcel of land lying and being in the said county of Lee and on Jones Creek in the Graborchard containing by estimation thirty and a half acres be the more or less ~~4 1/2~~ bounded as follows: Beginning on the 12 pole line 29 poles from white oaks and beeches on the north side of a branch at a white oak S 85 E 99 poles to a red oak on the top of a ridge and with said ridge S 99 1/2 W 33 poles to a pine and chestnut on the top of a high spur N 33 1/2 W 29 poles to a little gum and chestnut N 25 W 33 15/16 poles to two chestnut oaks S 33 1/2 W 33 poles to a sour wood hickory and two dead spanish oaks, (now gone N. 41 1/2 W 33 poles to a chestnut at the top of a deep hollow N 69 E 93 to the Beginning. To have and to hold the said tract of land and its appurtenances unto the party of the second part <sup>& his heirs</sup> forever And the party of the first part covenant that they will warrant generally the title to the land hereby conveyed And the party of the first part hereby reserve to themselves the vendor's lien on said land untill the purchase money therefor is fully paid. Witness the following signature and seal,

John C. Stapleton (seal)

Almadid Stapleton (seal)



Virginia Lee County to wit :-

I, John A. G. Hyatt, com'r in chan. for &c do certify that John C Stapleton, whose name is signed to the foregoing deed dated March the 7th 1887 personally appeared before me in the said county and acknowledged the said writing to be his act and deed. Given under my hand this the 7th day of March 1887

J. A. G. Hyatt Com'r &c.

Virginia Lee County to wit - - - - - I, John A. G. Hyatt Commissioner in chancery for the county do certify that Almada Stapleton wife of John C. Stapleton whose name is signed to the foregoing deed bearing date on the 7th day of March 1887 personally appeared before me in the county aforesaid and being examined by me privily and apart from her husband and havin' the deed fully explained to her she declared she had willingly signed and executed the same and did not wish to retract the same. Given under my hand and seal this 11th day of August 1888.

John A. G. Hyatt Com in chancery for Lee county court.  
Virginia Lee County, ~~pp/xxx~~ Clerk's office, Feb. 7th 1888  
The foregoing deed bearing date March the 7th 1887 between John C. Stapleton and Almada his wife of the first part and W. C. Herndon of the second part of Lee County Va. was this day filed in the clerk's office and admitted to record upon the foregoing certificate of John A. G. Hyatt a commissioner in chancery for Lee county court. Test John R. Gibson Clerk  
Virginia Lee County, ~~pp/xxx~~ *A Copy* *Test: J. V. McChesnut*

This day R. L. Pennington personally appeared before me a notary public for the said county and made oath that he had copied the foregoing deed from the records of the said county court and that the same is a true transcript from the said records, on file in the county court clerk's office.

This Feb. 1894.



H. C. Sturges

Fans, copy of book

John C. Sturges &c.

=====

For copy

\$0.50



This deed made november the 9th 1889 By and between M.C. Parsons of the first Part and Craig Herndon of the ~~2~~ second part both of the county of Lee and state of Virginia. Witness .s that the party of the first ~~part~~ doth grant bargain sell and convey to the party of the second part his undivided interest in Charles Pennington now deceased estate that he bought of Anderson Robins wife and heirs <sup>of</sup> aforesaid ~~&~~ Charles Pennington Dcd for the sum of one hundred dollars in hand paid the receipt of which is hereby acknowledged, the aforesaid M.C. Parsons binds himself to warrant <sup>generally</sup> the land hereby <sup>generally</sup> conveyed with all its appurtenances forever. Witness my hand and seal day and year first written M.C. Parsons (seal)

Virginia Lee County to wit: \_\_\_\_\_ I, V.H. Kelly notary public for the afor said county do certify that M.C. Parsons whose hand is signed to the above deed bearing date Oct. 9th 1889, personally appeared before me in my county aforesaid and acknowledged his signature to this deed to be correct for the purpose mentioned in the above deed. Given under my hand this Nov 9th 1889. V.H. Kelly, N.P.

Virginia Lee County to wit: \_\_\_\_\_ IN the office of the clerk of the said county May the 6th 1890, this deed was presented and with the certificate thereto annexed admitted to record.

Test John R. Gibson, Clerk.

*A Copy - recte: S. T. F. Nichols*  
Virginia Lee County to wit: \_\_\_\_\_ This day R.L. Pennington personally appeared before me in ~~the~~ a notary public for the county and state aforesaid in my county aforesaid and made oath that he had copied the foregoing deed from the records of the county court of said county on file in the said court's clerk's office, and that the same is a true transcript therefrom.

This Feb. \_\_\_\_ 194.

\_\_\_\_\_  
N.P.



W. C. Hudson ~~that~~

From { Copy of and

W. C. Hudson

For far Copy \$0.15



Deed Book No. 25, page 104.

THIS DEED of conveyance made this the 19th day of March 1890 and between John C. Pennington and patience Pennington his wife Dinah Pennington and Martha J Robins and Mary A Robins of the county of Lee and State of Virginia and Green B. Pennington and Susan His wif of the county of Perry and State of Kentucky of the first part and William C Herndon of the second part of the county of Lee and state of Virginia

*of the second part*  
Witnesseth that for and in the consideration of the sum of \$800.00 dollars in hand paid the receipt of which I s hereby acknowledged the said parties of the first part do grant bargain sell and convey unto the parties of the second part all of their right and title in the Charles Pennington tract of land lying and being in the county of Lee and state of Virginia on the waters off Jones Creek and bounded as follows to wit : Beginning at a beech and white oak on the east bank of Reeds creek thence southwardly to a poplar thence to a white on the top of a ridge thence northwardly to a white oak on a flat thence eastwardly to a wagon road said road southwestwardly to beech at the mouth of the first hollow near the bank of Jones Creek and with said creek to the mouth of said creek to Joseph Marcums corner thence westwardly with the said Marcums line to the Charles Pennington line and with the said line to the Beginning . the parties of the first part do warrant generally the land hereby conveyed the parties of the second part to have and to hold forever . Witnesseth the following signature and seal this the 19th day of March 1890

John C. Pennington (seal)

Patience Pennington (seal)

Martha J Robins (seal)



Green B. Pennington (seal)

Susan Pennington (seal)

State of Virginia Lee County To wit :

I, Frances M. Parsons a justice of the peace for the  
aforesaid county and state do certify that John C. Pennington  
and Patience Pennington his wife Martha J. Robins and Dinah Pe  
nnington whose names are signed to the foregoing deed bearing  
date on the 19th day of March 1890, acknowledged the same in  
my county and state aforesaid to be their act and deed and do  
not wish to retract it Given under my hand and seal the day  
and date first above written.

F. M. Parsons J. P.

State of Kentucky, County of Perry

I, Ira J Davidson clerk for the county court for the e/  
county and state aforesaid do certify that the foregoing deed  
of conveyance from John Pennington &c to William C Herndon  
was this day produced to ~~/~~ me in the county aforesaid and  
acknowledged before me ~~/x /xx /xxx/ /x/x/x/x/~~ by Green B  
Pennington and Susan his wife to be their act and deed and the  
same is certified to the proper office for record . Given  
under my hand this the 19th day of March 1890 .

1ra J. Davidson clerk

By G. R. Cornell D. C.

State of Virginia County of Lee, to wit:

I, F.M. Parsons, a justice of the peace for the county and state aforesaid do certify that Mary A Robins whose name is signed to the foregoing deed bearing date on the 19th day of March 1890, acknowledged the same before me in



in my count and state / aforesaid to be her act and deed and  
does not wish to retract it. Given under my hand the 7th day  
of April 1890.

F.M. Parsons J.P.

Virginia Lee County To wit :

In the office of the clerk of the said county  
May the 8th 1890 this deed was presented and with certificates  
thereto annexed was admitted to record

Test John N Gibson Clerk.

Virginia Lee County to wit

*A Copy Taken: D. V. Richmond*  
*cc. M.*

This day R.L. Pennington personally appeared  
before me ~~in~~ a notary public in and for the county and  
state aforesaid and made oath that he had copied the fore-  
going deed from the records of the county court of Lee county  
on file in the county clerk's office thereof, and that the  
same is a true transcript therefrom. Given under my hand this  
the \_\_\_\_ day of February 1894.

N.P.



Wm. H. Hudson

From a copy of the

John C. Perry and

The far copy No. 75



Deed Book No. 20 .page 106.

THIS DEED of conveyance made this the 5th day of February 1890 by and Between Tobias Hughs and Martha Hughs and Peggie Parsons of the first part and all of the county of Lee and state of Virginia and William C. Herron <sup>of the second part</sup> of the county and state / aforesaid . Witnesseth that for and in consideration of the sum of eight hundred Dollars in hand paid the / receipt of / which is hereby acknowledged the parties of the first part do / bargain sell / and convey unto the parties of the second part a certain tract or parcel of land lying and being in the county of Lee and State of Virginia situate on Reeds Creek waters of the north Fork of Powells River being two hundred acres be the same more or less and bounded as follows to wit: being the land where <sup>Tobias</sup> Tobias Hughs now lives and adjoining the land of Samuel Parsons . James Quillen and Mathew Zion and the parties of the second part to have and to hold forever . and the parties of the first part the land hereby conveyed . Witness the following signature and seal the day and date above written .

Tobias P. Hughs (seal)

Martha Hughs (seal)

Margerett R . Parsons (seal)

State of Virginia :

County of Lee

I, F. M. Parsons a justice of the peace for the aforesaid county do certify that Tobias Hughs and Martha Hughs His wife and Peggie Parsons whoes names are signed to the foregoing deed <sup>hearing</sup> ~~date~~ on the 5th day of February 1890 acknowledged the same before me in my county and state aforesaid to be their act and deed and does not wish to retract it .



Given under my hand this the 6th day of February 1890

W.M. Parsons J.P.

Virginia Lee county, to wit: In the office of the clerk  
of the said county May the 6th 1890 this deed was presented  
and with the certificate thereto annexed admitted to record.

Test John R. Gibson clerk.

Virginia Lee County to wit: *Acopy - Test: J. V. Richmond*  
Personally appeared before me / E.W. Pennington a notary pub-  
lic in and for the county and state aforesaid, R.L. Pennington  
and made oath that he had copied the foregoing deed from  
the records of the county / court of Lee county on file in  
clerks office of the said county court, and that the same  
is a true transcript therefrom. Sworn before me this the \_\_\_\_  
day of Feb. 1894.

\_\_\_\_ N.P.



A.C. Hudson

From { Copy of

Tobias Hughes

for Copy \$0.50



Deed Book No . 25 . page 111

THIS DEED made this ~~the~~ Dec. 21<sup>st</sup> in the year of our Lord 1889  
between Rebecca J. Robins and James A. Robins of the first  
part and and William C. Herndon and Cynthia Herndon ~~of the~~  
his wife of the county of Lee and state of Virginia of the  
second part WITNESSETH that for and in consideration of the  
sum of \$95.00 Dollars in hand paid the receipt ~~of~~ whereof is  
hereby acknowledged the said party of the first part do grant  
bargain and sell to the said party of the second part al of ~~the~~  
their right title and undivided interest in the Charles ~~F~~  
Pennington farme lying and being in the said county of Lee  
and lying on the waters of Jones creek and bounded as follows  
BEGINING on a beech and white oak on east bank of Reeds creek  
near its mouth thence southwardly to a poplar on Jones creek ~~X~~  
thence ~~north~~ eastwardly to a white oak on the top of ridge  
thence north~~east~~wardly to a white oak on a flat thence north-  
westwardly to awagon road thence southwardly to a beech at ~~the~~  
mouth of a hollow near the bank of Jones creek thence south-  
wardly with said creek to Joseph Marcum's corner thence  
southwardly with said Marcum's line to the old Charles  
Pennington line thence southwardly back to the Beginning .  
and the said party of the first part do covenant with the  
party of the second party that they will warrant generally the  
land hereby conveyed . Witnesseth the following signatures  
and seals .

*his*  
James ~~X~~ H. Robons (seal)

*mark*  
Rebecca ~~X~~ Robins (seal )  
*mark*

Witnesses

M. Graham

Z. T. Robins

Perkins county Chickasaw Nation Feb 22/90

Ervin Springs



Chickasaw Nation Perkins County Chickisaw Nation Feb 22/90

Personally appeared before me S.W.Wallace a U.S. Commissioner Janes H. Robins and his wife Rebecca Robins to me well known and signed and acknowledged to me that it was for ~~was~~ consideration therein expressed and set forth the above and foregoing deed or instrument of writing convey a tract of land to WILLIAM C. HERNDON and his wife This Feb 22<sup>nd</sup>/890

Samuel W. Wallace

U.S. COMr for Indian

Territory

Virginia Lee County to wit : In the office of the clerk of the said county May the 6th 1890 this deed was presented and with the certificate thereto annexed admitted to record

Test John R. Gibson Clerk.

Virginia Lee County to wit;

*Notary Public*  
I R. W. Pennington, notary in and for the said county

and state aforesaid do certify that R. L. Pennington personally appeared before me in my county aforesaid and made oath that he copied the foregoing deed from the records of the county court of Lee county on file in the clerk's office of the county court of said ~~the~~ county, and that the same is a true transcript from the record. Given under my hand this the \_\_\_\_ day of Feb. 1894.

\_\_\_\_\_  
NHP.



Mr.

the \_\_\_ day of Feb. 1894.

true transcript from the record. Given under my hand this  
county court of Lee county, and that the same is a  
county court of Lee county on file in the clerk's office of the  
that he copied the foregoing deed from the records of the  
subscribed before me in my county aforesaid and made oath  
and state aforesaid do certify that R.L. Pennington personally  
I & E.W. Pennington, and for the said county

Virginia Lee County to wit:

Test John R. Gibson Clerk.

the certified to be annexed and admitted to record

and which was presented and admitted to record

in the office of the clerk of the

Territory

U.S. COM. for Indian

Samuel W. Wallace

*From } Copy of deed  
of Rebecca Robinson  
to William C. Herndon and his wife  
this Feb 22, 1890*

and foregoing deed or instrument of writing convey a tract

and consideration therein expressed and set forth the above

known and signed and acknowledged to me that it was for

ationer James H. Robins and his wife Rebecca Robins to me well

Personally subscribed before me S.W. Wallace a U.S. Commis-

Chickasaw Nation Perkins County Chickasaw Nation Feb 22/90



From John B. Pennington & Larkin Herndon

THIS DEED made this the 15th day of Oct 18<sup>th</sup> 4 by and bet  
between John B. Pennington ~~and~~ and Larkin Herndon of the Con  
county of Lee and State of Va of one part and and WILLIAM C.  
Herndon of the county and State aforesaid of the other part  
WITNESSETH that for and in the consideration of the sum of Fo  
Four Hundred and fifty Dollars in hand paid the receipt of wh  
which is hereby acknowledged, the said John B. Pennington  
and Larkin Herndon do grant bargain and sell unto the said  
William C. Herndon a certain tract or parcel of ~~a~~ land lying  
and being in the county of Lee and State of Virginia.

~~BEGINNING~~ Being a part of the John MC Radies' 14,050 acre  
survey which was partitioned by among the heirs of Edward  
Pennington De. this being a portion of the lot assigned to  
John Pennington Sr. and by him by deed to John Pennington <sup>SR.</sup>  
and Larkin Herndon said land is lying in lower Craborchard  
and between the North Fork of Powel's River and Jones Creek  
and Reeds Creek bounded as follows to wit BEGINNING at a  
poplar on the east bank of Reeds Creek corner to Charley Penn  
ington's De. land near the ford of said creek and with  
said creek southwardly 90 poles to its mouth on the <sup>north</sup> bank of  
North Fork of Powels River thence eastwardly with the  
meanderings thereof to ~~the~~ a stake the original line and  
with said line N 38 W \_\_\_ to a gum two chestnuts and a Spanish  
oak corner to A. Baileys land and with lines of the same  
N. 24 W. 28 poles to, a white oak and a ~~ch~~ thence N. 35 W 42 poles  
to 3 white oaks thence North west with Parkers lines to  
Jones creek and with said creek to Charles Pennington's <sup>As lines</sup> and  
with his lines to the beginning supposed to contain three  
to four hundred acres be it the same the more or less And  
the said John B. Pennington and Larkin Herndon do covenant



with the said Williwam C. Herndon that they will warrant generally the title to the land hearby conveyed. Witness the following signatures and seals ~~Larkin Herndon (seal)~~

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County to wit :

I, John A. G. Hyatt acmr in chancery for Lee County court the same being a court of record do certify that John B. Pennington and Larkin Herndon, whose names are signed to the foregoing ~~writing~~ deed bearing date on the 15th day of oct 1'84, personally appeared before me in my county aforesaid and each acknowledged the same to be their act and deed for the purpose therein stated.

Given under my hand this the 2th day of January 1885

J. A. G. Hyatt comr &c

Virginia lee county court clerks office March the 4th 1889

The foregoing deed bearing Date Oct 15 th 1884 between John B. Pennington and Larkin Herndon ~~of~~ of the one part and William G. Herndon of the other part all of Lee County Va. was this day filed in the ~~clerk's~~ office and admitted to record up on the certificate of J. A. G. Hyatt acmr for Lee County Va

Test J. R. Gibson Clerk

*A copy* I, E. W. Pennington, anotary public in and for the county of Lee and State of Va. do hereby certify that ~~A. L. Pennington~~ personally appeared before me and made oath that he has copied the foregoing deed and that the same is a true transcript of record on file in the county court ~~clerk's~~ clerk's office Given under my hand this the \_\_\_\_ day of Feb. 1894.



Given under my hand this the \_\_\_\_ day of Feb. 1884.

of record on file in the county court ~~XXXX~~ clerk's office  
copied the foregoing deed and that the same is a true transcript  
personally appeared before me and made oath that he had  
Lee and State of Va. do hereby certify that W.L.P. Pennington  
I W.L.P. Pennington, notary public in and for the county of

Test J.K. Gibson Clerk.

County Va

record up on the certificate of J.A.G. Hyatt esq. for Lee  
Va. was this day filed in the clerk's office and admitted to  
and William G. Herndon of the other part of of Lee County  
John B. Pennington and Larkin Herndon ~~XXXX~~ of the one part

The foregoing deed bearing Date Oct 15th 1884 between the  
Virginia Lee County court clerk's office March the 4th 1889

J.A.G. Hyatt comr. cc

Given under my hand this the 4th day of January 1889  
and need for the purpose therein stated.

*H.C. Herndon*  
*True & correct copy of*  
*John B. Pennington*  
*Larkin Herndon*  
*The Jan Copy 80.50*  
I, J. A. G. Hyatt, personally appeared before me in my  
office on the 4th day of Jan 1889 and each acknowledged the same to be their  
deed to the foregoing ~~XXXX~~ deed bearing date on the  
13 John A. G. Hyatt esq. in chancery for Lee  
Virginia Lee County do wit:

Larkin Herndon (seal)

John B. Pennington (seal)

the following signatures and seals *Larkin Herndon* (seal)  
Generally the title to the land hereto conveyed. Witness  
with the said William G. Herndon that they will warrant



Sundford & Chaubertan Albers

V.S. } Copy of Deeds

H.C. Skindon et al.

For Gar Copy  
\$4 90

Examined



Ballard & Ballard Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsors and John C. Stapleton

Take notice that on the 2nd day

of February 1894

at the office of

County, State of

Kentucky I will proceed to take the deposition of S. Herndon

to be read as evidence on behalf of

Ballard & Ballard Co.  
a corporation organized & doing business  
under the laws of the State of Kentucky

in a certain suit in Equity now pending in the Circuit Court of Lee

County, State of Virginia wherein said

Plaintiff and you and each of you are Defendants And if from any

cause the taking of said deposition is not begun on that day, or being begun not complete, the same will be continued from day to day or from time to time and if desired from place to place, until the same are complete. You may attend and cross-examine if you wish.

Jan - 4 1894

Very Respectfully,

Ballard & Ballard Co

per Williamson & Bros  
Attorneys



H. C. Merriam

My dear Mr. [illegible]

I have just received your letter of the 10th inst.

and am glad to hear that you are well.

I am very busy at present but will write you again soon.

Very truly yours,

H. C. Merriam

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]



In the Clerk's Office of the Circuit Court of the County of  
*Lee* on the *1st* day of *January* 189*4*

*Sanford Chamberlain & Albers* Plaintiff  
against

*In Chancery*

*W. C. Herndon et al* Defendant

The object of this suit is to ~~set to~~ *set aside and annul the deed of W. C. Herndon*  
*to David P. Parsons dated March 14th 1893; 2nd to set aside and declare*  
*void the deed made by W. C. Herndon wife to Wm Woodward dated Nov*  
*the 10th 1893; 3rd to annul the transfer of goods & chattels made by W. C.*  
*Herndon to John P. Larkin Herndon on or about Nov the 10th 1893*  
*and 4th that a judgment be given in favor of the Plffs against the*  
*Defendants for the amount mentioned in the bill & the same*  
*be paid for and of said property thereby conveyed.*  
And an affidavit having been made and filed that the defendant *W. C. Herndon* is

not a resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days*  
after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County*  
*Republican* and that a copy be posted at the front door of the court-house of this *County*  
on the first day of the next term of the *County* Court.

A copy—Teste:

*Perminington Bros* p. q.

*A. B. Murnsey* Clerk.



Sanford Chamberlain & Albers

vs. }

ORDER OF  
PUBLICATION.

W. C. Herndon et al

S. A. B. Munsey Clerk of  
Circuit Court do certify  
that I delivered to the  
Lee County Republican  
the within order on the  
1st day of January 1894  
for publication and  
posted a copy thereof  
at the front door of the  
Court house at the  
January Term 1894  
of the County Court

S. A. B. Munsey Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*William A. Herndon*  
*Franklin Herndon, John P. Herndon*  
*David Parsons, William Woodward*  
*and John C. Stephens*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *10th* Monday in *January*, 189*4*, to

answer a bill in Chancery, exhibited against *them* in our said court by

*E. J. Sanford, W. P. Chamberlain*  
*and C. W. Elkins, partners in*  
*trade under the style & firm of*  
*Sanford Chamberlain & Elkins*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the

court-house, the

*8*

day of

*Dec*

189

*8* and in the *118*

year of the Commonwealth.

*A. Copy Teste*

*A B Munsey* Clerk.

*A B Munsey clerk*



The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

*AB Munsey Clerk*

vs.

**SUBPOENA  
IN CHANCERY.**

p. q.

To

Rules,

*Circuit Court.*

Executed Dec, 1893 by delivering an office copy of the within subpoena in chancery and attachment to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm. Woodard and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25.-163.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

William Woodward  
William C. Herndon John  
Herndon, Arthur Herndon  
George D. Sayers, and  
John A. Stophelton

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the 10th Monday in Jan, 1894 to  
answer a bill in Chancery, exhibited against in our said court by

To J. S. Sayers for J. H. P. Chamberlain  
Ch. J. S. Sayers & partner in trade  
under the style & firm of S. S. Sayers  
& Co. - Chamberlain & Sayers

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the

court-house, the 8

day of Dec

1893

and in the 118

year of the Commonwealth.

A. B. Munsey Clerk.



The proper affidavit having been made and filed the officer executing this summons is directed to attache the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

*A. B. Munsey Clerk*

*Samuel P. Herndon et al vs W. C. Herndon*

vs.

SUBPOENA  
IN CHANCERY.

*W. C. Herndon et al*

*Pennington et al*

To *1st January* 1894  
Circuit Court.

*J. B. Herndon et al vs W. C. Herndon*

Executed Dec. 1893 by delivering an office copy of the within subpoena in chancery and attaching to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm. Woodard and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.



In the clerks Office of the circuit court of the county of Lee on the 1st day of January 1894.

Sanford Chamberlain &

Albers

Pliffs }

vs.

In Chan'y }

W. C. Herndon et al Deft. }

The object of this suit is to 1st to set aside and annul the deed of W. C. Herndon to David P. Parsons dated March 14, 1893; 2nd to set aside and declare void the deed made by W. C. Herndon and wife to Wm Woodward dated Nov'r 10th 1893; 3rd to annul the transfer of goods and chattels made by W. C. Herndon to John P. and Larkin Herndon on or about Nov'r the 10th 1893; and 4th that a judgment be given in favor of the pliffs against the defendant for the amount mentioned in the bill and the same be satisfied out of said property thereby conveyed.

And an affidavit having been made and filed that the the defendant W. C. Herndon is not a resident of the State of Virginia, it is ordered that he do appear here, within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Lee County Republican and that a copy be posted at the front door of the court house of this county on the first day of the next term of the county court.

A copy--Teste:

A. B. Munsey Clerk.

Pennington Bros. p'g

5-10

I, W. P. Dryden & Sons pub

isher of the LEE COUNTY REPUBLICAN a weekly newspaper, published in the town of Jonesville, county of Lee, and State of Virginia, do hereby certify that the foregoing Order of Publication was duly published in the above named paper for four successive weeks, ending the

1st day of Feb 1894.

pr Saml Dryden

Publisher, LEE COUNTY REPUBLICAN



Pennington Bros



14